## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF GEORGIA SAVANNAH DIVISION

JACQUELYN ORR and	)
WILLIAM ORR,	)
	)
Plaintiffs,	)
	)
vs.	) CIVIL ACTION NO. 416-52
	)
MACY'S RETAIL HOLDINGS, IN	VC.,)
	)
Defendant.	)

## **ORDER**

Plaintiffs, Jacquelyn Orr and William Orr, have moved to exclude the expert witness testimony of L. Lamar Blount, CPA/CFF on the grounds that Defendant has failed to sustain its burden of proving by a preponderance of the evidence that Mr. Blount's opinion regarding the unreasonableness of the proposed ambulatory service center charges for the spinal cord implantation surgery recommended to Plaintiff Jacquelyn Orr by her treating physician, Markus Niederwanger, M.D., satisfies the requirements Federal Rule of Evidence 702.

Having read and considered Plaintiffs' motion and responses thereto, the Court find that Defendant has failed to prove by a preponderance of the evidence both that Mr. Blount's opinion is based upon reliable methodology and that Mr. Blount's opinion will assist the trier of fact in this case as required by Rule 702.

WHEREFORE, Plaintiffs' Motion to Exclude Expert Witness Testimony of L. Lamar Blount, CPA/CFF is hereby GRANTED and L. Lamar Blount shall not be permitted to testify regarding the unreasonableness of the proposed ambulatory service center charges for the spinal cord implantation surgery recommended to Plaintiff Jacquelyn Orr by her treating physician, Markus Niederwanger, M.D.

**SO ORDERED,** this \_\_\_\_ day of \_\_\_\_\_\_\_\_, 20\_\_\_.

JUDGE, UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF GEORGIA